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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,282	10/10/2001	Steve Malmskog	RLN 314	1271

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EXAMINER	
ZHONG, CHAD	

ART UNIT	PAPER NUMBER
2152	

DATE MAILED: 12/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/975,282	MALRNSKOG, STEVE	
	Examiner	Art Unit	
	Chad Zhong	2152	

-- The MAILING DATE of this communication appears on the cover sh t with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 October 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-43* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-43 are presented for examination.

2. It is noted that although the present application does contain line numbers in specification and claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both the Examiner and Applicant all future correspondence should include the recommended line numbering.

3. Applicant is required to update the status (pending, allowed, etc.) of all parent priority applications in the first line of the specification. The status of all citations of US filed applications in the specification should also be updated where appropriate.

3. The disclosure is objected to because of the following informalities:
On page 8, line 12 of the disclosure, '418' should be changed to '416'.
On page 12, line 10 of the disclosure, "web server 604" should be changed to "web client 602", the response is sent from server to the client and the acceleration device is modifying the response from the server.

4. The use of the trademark Netscape, among others have been noted in this application (pg 5, line 21). It should be capitalized wherever it appears and be accompanied by the generic terminology. Appropriate correction is required to the entire disclosure.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by the applicant for patent.

6. Claims 1-15, 17-18, 21-25, 29-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Moussa et al. (hereinafter Moussa), US 6,742,043.

7. As per claim 1, Moussa teaches a method for computer networking, comprising:

receiving a request for a web resource from a remote client (Col. 3, lines 40-45);

sending a message to initiate a page rendering process at the remote client (Col. 10, lines 45-60; wherein the client starts rendering the web page prior to receiving the actual contents, to further clarify this, similar features are suggested in the background of the invention, see for example, Col. 2, lines 35-65);

processing the request (Col. 3, lines 40-65, wherein the proxy is responsible to retrieve request from external server);

sending the requested response to the client (Col. 3, lines 40-65).

8. As per claim 2, Moussa teaches the method of claim 1 wherein the web resource is a new web page (Col. 10, lines 45-60).

9. As per claim 3, Moussa teaches the method of claim 1 wherein the web resource is statically generated (Col. 3, lines 40-65, wherein the web page being retrieved is being generated by the remote server).

10. As per claim 4, Moussa teaches the method of claim 1 wherein the web resource is encoded in an HTML file (Col. 10, lines 45-60).

11. As per claim 5, Moussa teaches the method of claim 1 wherein the web resource is dynamically generated (Col. 3, lines 40-65, wherein the web page is being re-formatted and regenerated in the proxy prior to client delivery).

12. As per claim 6, Moussa teaches the method of claim 1 wherein the web resource is encoded in an XML file (Col. 12, lines 15-31).

13. As per claim 7, Moussa teaches the method of claim 1 wherein the request is received at a server (Col. 3, lines 40-65).

14. As per claim 8, Moussa teaches the method of claim 7 wherein the server is a first server configured to act as a proxy between the client and a second server configured to serve the requested web resource (Col. 3, lines 40-65).

15. As per claim 9, Moussa teaches the method of claim 8 wherein the first server is configured to accelerate the time it takes for the client to download the requested web resource from the second server (Col. 10, lines 45-60).

16. As per claim 10, Moussa teaches the method of claim 1 wherein the message is an application level message (Col. 10, lines 45-60).

17. As per claim 11, Moussa teaches the method of claim 10 wherein the message is an initial generic portion of the response (Col. 10, lines 45-60, wherein the actual file requested has not yet arrived from the content server).

18. As per claim 12, Moussa teaches the method of claim 11 wherein the message includes the first byte of the message (the message sent back by system of Moussa comprises a plurality of messages with multiple bytes sending over the data network, this limitation is taught by Moussa).

19. As per claims 13-15, claims 13-15 are rejected for the same reasons as rejection to claim 12 above.

20. As per claim 17, Moussa teaches the method of claim 11 wherein the message is an "H" (Col. 6, lines 45-60, wherein the HTTP disclosed in this section is a form of 'H').

21. As per claim 18, claim 18 is rejected for the same reasons as rejection to claim 17 above.

22. As per claim 21, Moussa teaches the proxy can handle plurality of requests from plurality of clients, see for example, Fig 1. The remainder of claim 21 is rejected for the same reasons as rejection to claim 1 above.

23. As per claims 22-25, claims 22-25 are rejected for the same reasons as rejection to claims 10, 1, 11, 12 above respectively. Note that IPR message is interpreted the same way as the message sent from proxy back to the client.

24. As per claim 29, Moussa teaches the method of claim 21 wherein the message includes a modified version of the requested web resource (Col. 3, lines 40-65).

25. As per claim 30, claim 30 is rejected for the same reasons as rejection to claim 1 and 21 above.

26. As per claim 31, claim 31 is rejected for the same reasons as rejection to claim 1 and 21 above.

27. As per claim 32, Moussa teaches the system of claim 31 wherein the server is a web server (see

for example, Fig 1, item 5).

28. As per claim 33, Moussa teaches the system of claim 31 wherein the server is a first server configured to act as a proxy between the remote clients and a second server configured to serve the requested web resource (Fig 1).

29. As per claim 34, Moussa teaches the system of claim 33 wherein the first and second server are connected via a local area network (Fig 1, wherein the servers can exist anywhere on the data network infrastructure).

30. As per claim 35, claim 35 is rejected for the same reasons as rejection to claim 10 above.

31. As per claim 36, claim 36 is rejected for the same reasons as rejection to claim 11 above.

32. As per claim 37-39, claims 37-39 are rejected for the same reasons as rejection to claim 12, 17-18 above respectively.

33. As per claim 40, Moussa teaches a system for use in computer networking, the system comprising:

a computer network;

a web server;

a remote client configured to request a web resource from the web server via the computer network (Fig 1); and

an acceleration device positioned intermediate the web server and the remote client on the computer network (Fig 1);

the acceleration device being configured to, upon receipt of the request, send an application level message to the remote client before processing the request (Fig 1, Col. 10, lines 45-60).

34. As per claim 41, Moussa teaches the system of claim 40 wherein the acceleration device is further configured to accelerate transmission of the web resource from the web (Col. 10, lines 45-60).

35. As per claim 42, claim 42 is rejected for the same reasons as rejection to claim 23 above.

36. As per claim 43, claim 43 is rejected for the same reasons as rejection to claims 1, 21, 30, 31 and 40 above.

Claim Rejections - 35 USC § 103

37. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

38. Claims 16, 19-20, 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moussa et al. (hereinafter Moussa), US 6,742,043, in view of 'Official Notice'.

39. As per claim 16, Moussa does not explicitly teach the method of claim 1 wherein the request is received after executing a TCP handshake. "Official Notice" is taken that the concept and advantages of providing for TCP handshake prior to establishing request is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include TCP handshake with Moussa because it would provide for connection oriented sessions between sender of the request and the recipient, thus guaranteeing data delivery between them. Moreover, Applicant's disclosed TCP handshake prior to additional request and acknowledgements for the similar reasons.

40. As per claim 19-20, claims 19-20 are rejected for the same reasons as rejection to claims 17-18 above respectively.

41. As per claim 26-28, claims 26-28 are rejected for the same reasons as rejection to claims 16, 19-20 above respectively.

Conclusion

42. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "COMPUTER NETWORK SYSTEM, DEVICE AND METHOD FOR IMPROVED SPEED IN WEBPAGE RENDERING".

i. US 2002/0112078 Yach, David

ii. US 2002/0078164 Reinschmidt, Menachem

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (571)272-3946. The examiner can normally be reached on M-F 7:15 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BURGESS, GLENTON B can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CZ
December 17, 2004

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12/2004